

UNITED STATES DISTRICT COURT

for the

Southern District of Georgia

United States of America

v.

Maurice A. Kirkland

Date of Previous Judgment: December 12, 2000

(Use Date of Last Amended Judgment if Applicable)

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Case No: CR498-00141-007USM No: 48574-019John A. Foster

Defendant's Attorney

2008 MAY 29 AM 10:17

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

☒ DENIED. ☐ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of _____ months is reduced to _____.

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: 33Amended Offense Level: 31Criminal History Category: IIICriminal History Category: IIIPrevious Guideline Range: 168 to 210 monthsAmended Guideline Range: 135 to 168 months

II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

☐ The reduced sentence is within the amended guideline range.

☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.

☐ Other (explain):

III. ADDITIONAL COMMENTS

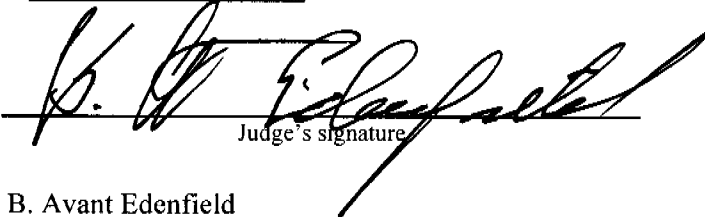
A sentence of 168 months, the top end of the amended advisory guideline range, is the appropriate sentence in this case. The Court notes that the defendant has a disciplinary record since his imprisonment which includes a charge of escaping on May 16, 2004.

Except as provided above, all provisions of the judgment dated December 12, 2000, shall remain in effect.

IT IS SO ORDERED.

Order Date: May 29, 2008

Effective Date: _____
(if different from order date)


Judge's signature

B. Avant Edenfield

United States District Judge

For the Southern District of Georgia

Printed name and title